

UTILITY PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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In Re Application of: Larry CASILLAS et al. Group Art Unit: 2856 NOV 09 2006

Serial No.: 10/788,758 Examiner: Unknown

Filed: February 27, 2004 Atty Docket No.: H0002742-3180

For: APPARATUS AND METHOD OF SAMPLING SEMIVOLATILE COMPOUNDS

INFORMATION DISCLOSURE STATEMENT

Mail Stop Amendment
Commissioner for Patents
P O Box 1450
Alexandria, VA 22313-1450

Commissioner:

In accordance with 37 C.F.R. 1.56 and in a manner prescribed by 37 C.F.R. 1.97 and 1.98, this Information Disclosure Statement (IDS) is being submitted herewith for placement in the file.

I. CONTENT

This IDS includes:

- A list of all patents, publications, applications, or other information submitted for consideration by the Office on PTO/SB/08A Form, which is included herewith;
- If required, a legible copy of: (i) each foreign patent; (ii) each publication or that portion which caused it to be listed; and (iii) each cited pending U.S. application, the application specification including claims, and any drawing of the application, or that portion of the application which caused it to be listed including any claims directed to that portion; and (iv) all other information or that portion which caused it to be listed, unless subsequently provided in this IDS.

11/13/2006 SDIRETA1 00000020 502091 10788758

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II. CONCISE EXPLANATION OF THE RELEVANCE (check at least one box)

- Except as may be subsequently indicated in this section II, a concise explanation is not required as all of the patents, publications, applications or other information are in the English language, or the degree of relevance of each is indicated in the English language version of the International Search Report, which accompanies this IDS.
- A concise explanation of the relevance, as it is presently understood by the individual designated in 1.56(a) most knowledgeable about the content of the information, of all patents, publications, applications or other information listed that is not in the English language.
- A copy of the translation of a non-English Language document, or portion thereof is enclosed with this IDS (e.g., a translation of an abstract).
- Any patent, publication, pending application or other information that is listed on PTO/SB/08A Form, which are not enclosed herewith were previously cited by or submitted to the Office in one of the following applications that has been relied on for an earlier effective filing date under 35 U.S.C 120 and the IDS submitted in the earlier application complies with paragraphs (a) through (c) of 1.98:

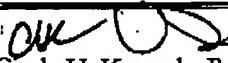
U.S. Application Serial No.	U.S. Filing Date

III. THIS IDS IS BEING FILED UNDER 37 C.F.R. 1.97(b): (check one box)

- Within three months of the filing date of a national application other than a continued prosecution application under 1.53(d).
- Within three months of the date of entry of the national stage as set forth in 1.491 in an international application.
- Before the mailing date of a first Office Action on the merits. In the event that a first Office Action on the merits has been mailed, please consider this IDS under 37 C.F.R. 1.97(c) and see the statement under 1.97(e) or charge deposit account 50-2091 the fee specified by 37 C.F.R. 1.17(p) if such statement is not selected in Section VI.
- Before the mailing of a first Office Action after the filing of a request for continued examination under 1.114.

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TO:	FROM:
Examiner Tamiko Bellamy	 Cindy H. Kwacala, Reg. No. 47,667
COMPANY:	DATE:
USPTO	NOVEMBER 9, 2006
FACSIMILE NUMBER:	TOTAL NO. OF PAGES INCLUDING COVER:
571-273-8300	13
PHONE NUMBER:	SENDER'S REFERENCE NUMBER:
571-272-2190	H0002742-3180
RE:	RECIPIENTS REFERENCE NUMBER:
Information Disclosure Statement	10/788,758

URGENT FOR REVIEW PLEASE COMMENT PLEASE REPLY PLEASE RECYCLE

NOTES/COMMENTS:

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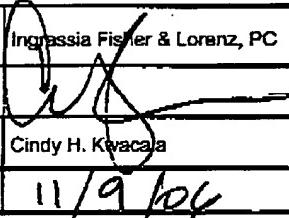
(to be used for all correspondence after initial filing)

		Application Number	10/788,758
		Filing Date	February 27, 2004
		First Named Inventor	Larry CASILLAS
		Art Unit	2856
		Examiner Name	Tamiko Bellamy
Total Number of Pages in This Submission	12	Attorney Docket Number	H0002742-3180

ENCLOSURES (Check all that apply)

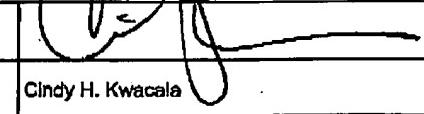
<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
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<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
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<input checked="" type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	
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<input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53		
<input type="checkbox"/> Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Ingrassia Fisher & Lorenz, PC		
Signature			
Printed name	Cindy H. Kwacala		
Date	11/9/06	Reg. No.	47,667

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature			
Typed or printed name	Cindy H. Kwacala	Date	11/9/06

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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IV. THIS IDS IS BEING FILED UNDER 37 C.F.R. 1.97(c):

- After the period specified in 37 C.F.R. 1.97(b) and before the mailing date of any of a final action under 1.113, a notice of allowance under 1.311 or an action that otherwise closes prosecution in the application, and accompanied by:
 - a statement specified in 1.97(e) as subsequently provided in this IDS; or
 - the fee set forth in 1.17(p).

V. THIS IDS IS BEING FILED UNDER 37 C.F.R. 1.97(d):

- After the period specified in 37 C.F.R. 1.97(c) and on or before the payment of the issue fee, and it is accompanied by a statement specified in 1.97(e) as subsequently provided in this IDS and the fee set forth in 1.17(p).

VI. Statement under 37 C.F.R. 1.97(e) (check only one box)

The undersigned hereby states that:

- Each item of information contained in the IDS was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this IDS.
- No item of information contained in the IDS was cited in a communication from a foreign patent office in a counterpart foreign application, and, to knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the IDS was known to any individual designated in 37 C.F.R. 1.56(c) more than three months prior to the filing of this IDS.

VII. Statement under 37 C.F.R. §1.704(d)

- The undersigned hereby states that each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart application and that this communication was not received by any individual designated in 37 C.F.R. §1.56(c) more than thirty days prior to the filing of the information disclosure statement.

VIII. PAYMENT OF FEES (check one box)

- A check in the amount of \$ _____ is enclosed for fees due with respect to this IDS.
- Please charge Deposit Account No. 50-2091 in the amount of \$ 180.00 for the fees due with respect to this IDS. A duplicate copy of this paper is included with this IDS.

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IX. CONCLUSION

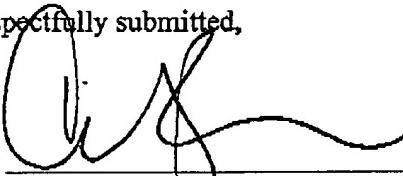
It is respectfully submitted that the claims presently on file patently distinguish the present invention from each of these references cited in this IDS. The references cited in this IDS are being cited only in the interests of candor and without any admission that they constitute statutory prior art or contain matter which anticipates the invention or which would render the same obvious, either singly or in a combination, to a person of ordinary skill in the art. Furthermore the filing of this IDS should not be construed to be an admission that the information cited in this IDS is, or is considered to be, material to patentability as defined in 1.56(b). In addition, the filing of this IDS should not be construed as a representation that a search has been made.

If the Examiner has any questions concerning these IDS, the Examiner is requested to contact the undersigned at the telephone number associated with Customer No. 29,906. If it is determined that this IDS has been filed under the wrong rule, the PTO is requested to consider this IDS under the proper rule, with a petition if necessary, and charge the appropriate fee to Deposit Account No. 50-2091.

Please charge any additional fees or credit any overpayment related to this IDS to Deposit Account No. 50-2091.

Respectfully submitted,

By:


Cindy H. Kwacala
Reg. No. 47,667

Ingrassia Fisher & Lorenz
Customer Number 29906

Enclosures:

- PTO/SB/08A
- References
- Foreign Search Report
- Fee
- Other: _____

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Nov. 9, 2006 12:42PM INGRASSIA FISHER & LORENZ PC NOV 9 2006 No. 4676 P. 7

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Substitute for form 1449/PTO		Complete if Known	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i>		Application Number	10/788,758
		Filing Date	February 27, 2004
		First Named Inventor	Larry CASILLAS
		Art Unit	2856
		Examiner Name	Tamiko Bellamy
Sheet	1	of	1
		Attorney Docket Number	H0002742-3180

FOREIGN PATENT DOCUMENTS				
Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Data MM-DD-YYYY	Name of Patentee or Applicant of Cited Document
		Country Code ² -Number ³ -Kind Code ⁴ (if known)		
		PCT International Search		
		Report PCT/US2005/005974	06/14/2005	

Examiner Signature		Date Considered	
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¹EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ²Applicant's unique citation designation number (optional). ³See Kinds of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ⁴Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁵For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁶Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.18 if possible. ⁷Applicant is to place a check mark here if English language Translation is attached.

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